

## **Laboratory Certification Standards Review Council Meeting Minutes From 11/16/2004**

### **Attendance**

Council Members: Paul Junio (Chair), George Bowman (Vice Chair), Kurt Knuth, Katie Edgington, and Jim Kinscher

DNR Staff: David Webb, Greg Pils, Rick Mealy

Others in Attendance: Paul Harris

### **Summary and Action Items**

At this meeting the Certification Standards Review Council:

- approved the minutes from their May 4, 2004 meeting.
- reviewed the LabCert Program's audit, report, and closure totals for the second quarter (to-date) of FY 2005 and performance relative to annual program goals.
- provided comment on the draft lab survey associated with the LabCert Program Review project.
- were informed of a project within the state Lab of Hygiene to develop a network of laboratories to provide support in the event of a bio-terror incident
- tentatively scheduled the Council's next meeting for Tuesday, February 8, 2005.

### **Agenda Items**

#### **I. Check in/Agenda Repair**

- A. Council members, DNR staff and Guests were introduced. No items were presented for addition to the agenda.

#### **II. Approval of Previous Meeting's Minutes**

- A. The draft minutes from the Council's August 18, 2004, meeting were approved unanimously (Bowman/Kinscher).

#### **III. Audit Status – Quarterly Update**

- A. Greg Pils provided the council with a summary of the Laboratory Certification Program's audits' reports, and audit closures for the second quarter (to-date) of Fiscal Year 2005. The FY 2005 tallies appear in the tables on the following page. Pils noted that the Program is ahead of pace for closures, as staff continue to resolve older cases. With one month to go in the quarter, he also noted that the Central Office is a bit behind pace, but that is typical for this time of year due to holidays.
- B. Webb reminded Council members that various renditions of this data –though not exactly the same--are currently published on the Department's web site. Pils indicated that he would forward a link to that site to Council members. The main measure included is how long it takes to process an application.
- Pils added that this monitoring developed as part of the "Job Creation Act" as part of an initiative to improve DNR response time to permit applications. In addition to Watershed Management, any similar programs involving applications and response times are required to report their data on the web.

*NOTE: The link mentioned during the meeting is:*

<http://www.dnr.state.wi.us/org/caer//cea/permits/lab.htm>

## Cumulative Totals

Central Office			Regional		
Total*		Annual Goals	Total*		Annual Goals
Audits	14	44	Audits	40	106
Reports	17	44	Reports	37	106
Closures	23	44	Closures	35	106

## Quarterly Totals

1 <sup>st</sup> Quarter		2 <sup>nd</sup> Quarter*		3 <sup>rd</sup> Quarter		4 <sup>th</sup> Quarter	
CENTRAL OFFICE							
Audits	6	Audits	8	Audits		Audits	
Reports	9	Reports	8	Reports		Reports	
Closures	17	Closures	6	Closures		Closures	
REGIONAL							
Audits	26	Audits	14	Audits		Audits	
Reports	26	Reports	11	Reports		Reports	
Closures	23	Closures	12	Closures		Closures	

## Total Labs by Responsibility

CO (Central Office)	129	310 Labs
NE (Northeast Region)	70	
WC (West Central Region)	87	
SC (South Central Region)	74	
SE (Southeast Region)	79	
O (Other/Reciprocity Labs)	11	

## IV. LabCert Program Review Status

- A. Greg Pils reported that since the last council meeting, he had drafted a survey and obtained comments from LabCert staff. For this meeting, he asked for the Council's input on the survey items.
- B. As an overall comment, Paul Junio felt that the survey did not address Program boundaries, citing an example of an auditor requiring a laboratory to do "something" in response to a citation with no [readily apparent] Code authority. Pils indicated that his intent was to capture such items in the "Lab Audit" section of the survey.
- C. A discussion ensued regarding labs being held to standards for which the Program lacks enforcement authority. Pils focused the discussion to two immediate concerns: (1) Are labs being held to unenforceable standards? and (2) Are labs being held to consistent/equivalent standards?
- D. Another discussion centered around situations where a lab disagrees with a particular citation, and how such situations are resolved. Several members felt such things were best discussed during the exit interview, but Kurt

Knuth asked specifically about items that appear on the report that were not discussed during the exit interview.

- E. Pils concluded by indicating he would develop a second draft based on the survey based on Council member comments at this meeting. This 2<sup>nd</sup> draft would be again distributed to staff and council members for final comments. The final survey would be distributed to about 20 labs from each sector. Once surveys are returned, Pils indicated that he would compile results. The LabCert staff would then meet informally and develop a response for any item that requires immediate action. Qualitative goals will then be developed for each subject area. A final report, to be placed on the web-site, will be forwarded to all council members, and respondents.

#### **V. APHL Project (John Chapin, State Laboratory of Hygiene)**

- A. As background, Chapin explained that the SLH has been working on the clinical side since 1997 to develop a network of laboratories that can be utilized in the event of a major health crisis. In the event of a bio-terror situation, the SLH could not provide adequate response without bring partners into the loop. While such a partnership has been developed on the clinical sides, there is a growing realization that a similar set of partnerships is required on the chemical-environmental side.
- B. Two initial questions were posed: "How willing are labs to "get engaged"? This is a voluntary decision, which translates to a personal business decision for smaller labs. The second question, "If I'm going to join a network, what do the other members provide me with?" The State Lab is also trying to answer the questions "What do you [the lab community] need from us?" and "What types of things should we [the state lab] be doing?". One final dimension which must be pursued is to determine to what degree the SLH itself serves as a barrier [to developing a network]? Chapin explained that there has been much talk of developing partnerships, yet nothing has developed to-date.
- C. Chapin distributed informational handouts and informed the group that regional meetings on this topic would be scheduled for February and March 2005. A draft survey was also passed out for comment. Attendees were asked to look over the survey for three things:
- Are there questions that simply do not make sense?
  - Are there questions that are not phrased clearly (i.e., "What are you looking for here?")
  - Are there questions that are missing that should be asked?

#### **VI. Other Program and DNR Business**

- A. Program Vacancy - Webb indicated that he has made use of the existing Auditor vacancy by cutting it in half and converting both Brenda Howald's and Camille Johnson's positions from half-time to full-time. The Program is now fully staffed with no new people. As we move forward, will be looking at boundaries. Webb projected that boundaries between Regional and Central Office parts of the program will become more blurred.
- B. Bac-T TAC - Dave Webb indicated that Watershed management has convened a Technical Advisory Committee (TAC), headed by Toni Glymph, on the issue of microbiological testing of wastewater effluents. The agency had hoped for new rules by the end of October, but we are still awaiting guidance from the EPA. Although there is a general movement towards E. coli testing (over traditional fecal coliforms) we are trying to determine if there is a mechanism, to gauge the amount of fecal coliforms present in a sample simply by testing for E. coli. Until we receive a directive from the EPA, it appears the state will remain in a holding pattern.
- C. Training – Webb indicated that in the recent past he has said "we are out of the training business" (due to staff shortages) but now requests that the Council make some decisions, as a group, regarding the desired direction for the Program to go with respect to training. Webb presented the idea that a subgroup of the LabCert Council be convened annually to identify specific areas of training needed and who might best provide the training.

Jim Kinscher asked if Webb was saying that LabCert could not be counted on to provide the training. Webb responded that he has the staff, but the question is whether or not staff have the time required to develop and present training sessions.

After some discussion about funding for training, it was decided that Greg Pils would provide Council members with estimates of the impact of adding a line item for training (\$5,000 to \$20,000).

**NOTE: The effect allocating various amounts to training on certification costs is summarized below**

**Effect of Training Budget Increases on FY 2005 Laboratory Certification  
and Registration Fees**

COMPARISON FIGURE	APPROVED FY 2005	+ \$5000	+\$10,000	+\$15,000	+\$20,000
<b>Total Program Budget</b>	\$ 551,558	\$ 556,558	\$ 561,558	\$ 566,558	\$ 571,558.
<b>Cost per RVU</b>	\$ 54.00	\$ 54.50	\$ 55.	\$ 55.50	\$ 56.
<b>Typical Wastewater Treatment Lab Annual Fee</b>	\$ 756.	\$ 763.	\$ 770.	\$ 777.	\$ 784.
<b>Typical Commercial Lab Annual Fee</b>	\$ 3,186.	\$ 3,215.	\$ 3,245.	\$ 3,274.	\$ 3,304.

- D. NR149 Update – Webb indicated that a lot of internal input had been received and that Brenda Howald would now be assisting in the Code development process. Paul Junio inquired as to the timeframe for a second draft. Webb indicated that a goal would be to have it before the holidays. Webb further specified that a second draft would not be released without all the accompanying documents required to compare the new code to existing code.

Webb explained that is routinely an awkward period during the revision of any Code language. At this stage, we lack legal authority to gather public comments, yet the RAC would (naturally) like to share the draft versions with their constituencies.

#### **VII. Council Member Issues**

- A. Discrete Analyzers – Paul Junio mentioned that at the last Council meeting, DNR had indicated that the next edition of LabNotes would include a discussion about whether or not discrete analyzers can be used for testing. Rick Mealy assured Junio that such an article was included in the Fall 2004 edition of LabNotes which would be going to print in December (2004).
- B. SDWA Survey – Paul Junio mentioned that at the last Council meeting, DNR had indicated that an SDWA Status Update Form was being developed and asked for a status update. Mealy indicated that the project would likely be completed within the next month.

#### **VIII. Future Meeting Date**

- A. The next Council meeting was tentatively scheduled for Tuesday, February 8, 2005. The meeting was tentatively scheduled to be held at the Lodi City Hall.